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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fabrizio et al.

Date: April 28, 2004

Serial No.: 10/768,535

Group Art Unit:

Filed: January 30, 2004

Examiner:

For: Soybean Variety XB09J04

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

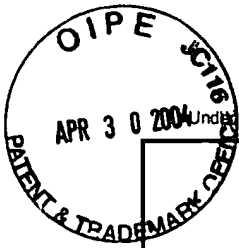
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UNDER 37 C.F.R. §1.97(b)**

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Respectfully submitted,

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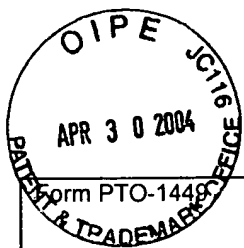
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	<b>APPLICANT</b>  Fabrizius et al.	
	<b>FILING DATE</b>  January 30, 2004	<b>GROUP</b>

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
A1	6,583,343	6/24/03	Gebhardt et al.			12/22/2000

**FOREIGN PATENT DOCUMENTS**

Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No

**OTHER DOCUMENTS** *(Including Author, Title, Date Pertinent Pages, Etc.)*

A2	Plant Variety Protection Certificate No. 200200099 for Soybean 90B74, issued May 2, 2002
A3	Plant Variety Protection Certificate No. 200200078 for Soybean 91B03, issued May 2, 2002
A4	Plant Variety Protection Certificate No. 200100061 for Soybean 91B12, issued April 24, 2001

**U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No.	U.S. Patent Application Serial Number	Filing Date of Cited Application MM-DD-YYYY	Name of Applicant of Cited Application
	A5	10/271,848	10/15/2002	Fabrizius et al. (DO NOT PUBLISH)
	A6	10/355,886	1/31/2003	Fabrizius et al. (DO NOT PUBLISH)
	A7	10/271,806	10/15/2002	Gebhardt et al. (DO NOT PUBLISH)
	A8	10/355,359	1/31/2003	Fabrizius et al. (DO NOT PUBLISH)
EXAMINER				DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.